

AO 240 (Rev. 07/10) Application to Proceed in District Court Without Prepaying Fees or Costs (Short Form)

UNITED STATES DISTRICT COURT

for the

2022 JAN 20 PM 1:15

CLERK ALBUQUERQUE

JOSEPH A. TRENTON

Plaintiff/Petitioner

v.

EXPERIAN ET AL

Defendant/Respondent

Civil Action No.

22cv45 JHR

APPLICATION TO PROCEED IN DISTRICT COURT WITHOUT PREPAYING FEES OR COSTS
(Short Form)

I am a plaintiff or petitioner in this case and declare that I am unable to pay the costs of these proceedings and that I am entitled to the relief requested.

In support of this application, I answer the following questions under penalty of perjury:

1. *If incarcerated.* I am being held at: N/A

If employed there, or have an account in the institution, I have attached to this document a statement certified by the appropriate institutional officer showing all receipts, expenditures, and balances during the last six months for any institutional account in my name. I am also submitting a similar statement from any other institution where I was incarcerated during the last six months.

2. *If not incarcerated.* If I am employed, my employer's name and address are:

UNEMPLOYED / INJURED

My gross pay or wages are: \$ 0, and my take-home pay or wages are: \$ 0 per
(specify pay period) _____.

3. *Other Income.* In the past 12 months, I have received income from the following sources (check all that apply):

- | | | |
|--|------------------------------|--|
| (a) Business, profession, or other self-employment | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| (b) Rent payments, interest, or dividends | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| (c) Pension, annuity, or life insurance payments | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| (d) Disability, or worker's compensation payments | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| (e) Gifts, or inheritances | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| (f) Any other sources | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |

If you answered "Yes" to any question above, describe below or on separate pages each source of money and state the amount that you received and what you expect to receive in the future.

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4. Amount of money that I have in cash or in a checking or savings account: \$ - 289⁴⁷.

5. Any automobile, real estate, stock, bond, security, trust, jewelry, art work, or other financial instrument or thing of value that I own, including any item of value held in someone else's name (describe the property and its approximate value):

N/A

6. Any housing, transportation, utilities, or loan payments, or other regular monthly expenses (describe and provide the amount of the monthly expense):

N/A

7. Names (or, if under 18, initials only) of all persons who are dependent on me for support, my relationship with each person, and how much I contribute to their support:

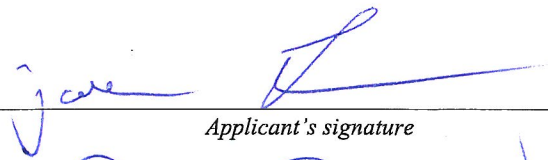
N/A

8. Any debts or financial obligations (describe the amounts owed and to whom they are payable):

N/A

Declaration: I declare under penalty of perjury that the above information is true and understand that a false statement may result in a dismissal of my claims.

Date: 1-17-22


Applicant's signature
JOSEPH TRENTON
Printed name

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

Civil Action

No. _____

(To be supplied by the court)

JOSEPH AMAZIAH TRENTON, Plaintiff,

v.

EXPERIAN

TRANSUNION,

EQUIFAX, Defendants

PLAZA SERVICES LLC,

CREDIT SYSTEMSS INC,

WEBBANK & FINGERHUT,

(List each named defendant on a separate line.)

ORIGINAL COMPLAINT

PARTIES

1. AT ALL TIMES RELEVANT HERETO, PLAINTIFF **JOSEPH A. TRENTON** (HEREAFTER MR. TRENTON), HAS BEEN A CITIZEN OF THE STATE OF NEW MEXICO, AND CURRENTLY RESIDES AT HIS MAILING ADDRESS, WHICH IS 437 ALTEZ ST NE, ALBUQUERQUE, NM 87123. PHONE NUMBER IS (505) 977-4824. PLAINTIFF IS PROCEEDING PRO SE AND WITHOUT THE ASSISTANCE OF AN ATTORNEY.
2. DEFENDANT **EXPERIAN**, IS A CONSUMER REPORTING AGENCY THAT CREDITORS UTILIZE FOR THE PURPOSE OF ASSESSING THE CREDIT WORTHINESS OF A POTENTIAL BORROWER (I.E., PLAINTIFF), AND IS THE FOREMOST REASON THAT MR TRENTON WAS DENIED CREDIT, VEHICLES, ETC., AND CURRENTLY HAS A PHYSICAL ADDRESS AT P.O. BOX 2002 ALLEN, TX 75013-2002. PHONE NUMBER 888-397-3742 THIS DEFENDANT IS SUED IN THEIR INDIVIDUAL AND OFFICIAL CAPACITIES.
3. DEFENDANT **TRANS UNION**, IS A CONSUMER REPORTING AGENCY THAT CREDITORS UTILIZE FOR THE PURPOSE OF ASSESSING THE CREDIT WORTHINESS OF A POTENTIAL BORROWER (I.E., PLAINTIFF), AND IS THE FOREMOST REASON THAT MR TRENTON WAS DENIED CREDIT, VEHICLES, ETC., AND CURRENTLY HAS A PHYSICAL ADDRESS AT P.O. BOX 6790 FULLERTON, CA 92834. PHONE NUMBER 800-916-8800. THIS DEFENDANT IS SUED IN THEIR INDIVIDUAL AND OFFICIAL CAPACITIES.
4. DEFENDANT **EQUIFAX**, IS A CONSUMER REPORTING AGENCY THAT CREDITORS UTILIZE FOR THE PURPOSE OF ASSESSING THE CREDIT WORTHINESS OF A POTENTIAL BORROWER (I.E., PLAINTIFF), AND IS THE FOREMOST REASON THAT MR TRENTON WAS DENIED CREDIT, VEHICLES, ETC., AND CURRENTLY HAS A PHYSICAL ADDRESS AT P.O. BOX 740241 ATLANTA, GA 30374-

0241. PHONE NUMBER 800-685-1111. THIS DEFENDANT IS SUED IN THEIR INDIVIDUAL AND OFFICIAL CAPACITIES.

5. DEFENDANT **PLAZA SERVICES, LLC**, IS A COLLECTION AGENCY WHO REPORTS A COLLECTION CLAIMING IT IS PLAINTIFFS ACCOUNT, BUT MR TRENTON HAS NEVER HAD DEALINGS WITH THIS COMPANY NOR IS THE ACCOUNT ONE THAT MR TRENTON OPENED. DEFENDANT HAS A CURRENT ADDRESS AT 110 HAMMOND DR #110, ATLANTA, GA 30328. PHONE NUMBER 877-475-1103. THIS DEFENDANT IS SUED IN THEIR INDIVIDUAL AND OFFICIAL CAPACITIES.
6. DEFENDANT **WEBBANK/FINGERHUT**, IS AN ONLINE SALES COMPANY WHO REPORTS NOT ONE BUT TWO COLLECTION ACCOUNTS WITH THE SAME BALANCE CLAIMING IT IS MR TRENTONS' ACCOUNT, BUT MR TRENTON HAS NEVER HAD DEALINGS WITH THIS COMPANY NOR IS THE ACCOUNT ONE THAT MR TRENTON OPENED. DEFENDANT HAS A CURRENT ADDRESS AT 6250 RIDGEWOOD ROAD, ST, CLOUD, MN 56303. PHONE NUMBER 800-208-2500. THIS DEFENDANT IS SUED IN THEIR INDIVIDUAL AND OFFICIAL CAPACITIES
7. DEFENDANT **CREDIT SYSTEMS INC**, IS A COLLECTION AGENCY WHO REPORTS A COLLECTION CLAIMING IT IS MR TRENTONS' ACCOUNT, BUT MR TRENTONS' HAS NEVER HAD DEALINGS WITH THIS COMPANY NOR IS THE ACCOUNT ONE THAT MR TRENTON OPENED. DEFENDANT HAS A CURRENT ADDRESS AT 1485 GARDEN OF THE GODS, COLORADO SPRINGS, CO 81502. PHONE NUMBER 970-2412075. THIS DEFENDANT IS SUED IN THEIR INDIVIDUAL AND OFFICIAL CAPACITIES.

(ATTACH A SEPARATE PAGE, IF NECESSARY, TO LIST ADDITIONAL PARTIES.)

JURISDICTION

9. JURISDICTION IS ASSERTED PURSUANT TO THE FOLLOWING
STATUTORY AUTHORITIES:

- A. THE COURT HAS JURISDICTION OVER THIS ACTION PURSUANT TO 15 U.S.C. § 1681 ET SEQ., THE “FAIR CREDIT REPORTING ACT (FCRA) AND 15 U.S.C. §§ 1692-1692P, THE “FAIR DEBT COLLECTION PRACTICES ACT.”
- B. DIVERSITY OF CITIZENSHIP 28 U.S.C. § 1332

BRIEFLY STATE THE BACKGROUND OF YOUR CASE:

A. THE DEFENDANTS CREDIT SYSTEMS INC, PLAZA SERVICES LLC AND WEBBANK/FINGERHUT ARE REPORTING FALSE DEROGATORY INFORMATION ABOUT MR TRENTON TO ONE OR MORE CONSUMER REPORTING AGENCIES (CREDIT BUREAUS) AS DEFINED BY 15 U.S.C. § 1681A.

B. MR TRENTON HAS DISPUTED THE ACCURACY OF THE DEROGATORY INFORMATION REPORTED BY THE DEFENDANTS IN PARAGRAPH A, TO THE CONSUMER REPORTING AGENCIES EXPERIAN, TRANSUNION AND EQUIFAX.

C. DEFENDANTS CREDIT SYSTEMS INC, PLAZA SERVICES LLC AND WEBBANK/FINGERHUT, HAVE NOT RESPONDED TO MR TRENTONS' NUMEROUS LETTERS OF DISPUTE BY PROVIDING EVIDENCE OF THE ALLEGED DEBT TO MR TRENTON NOR TO THE CONSUMER REPORTING AGENCY EXPERIAN, EQUIFAX, OR TRANSUNION. IN FACT, THE COLLECTION AGENCY DEFENDANTS (ie, CREDIT SYSTEMS INC, PLAZA SERVICES LLC) REFUSED TO PROVIDE EVIDENCE THAT MR TRENTON IS RESPONSIBLE FOR THE ACCOUNTS. MR TRENTON ASKED FOR ONE SMALL ITEM TO PROVE THE ACCOUNT AND THAT WAS A COPY OF THE SIGNATURE PAGE AS MR TRENTON HAS A UNIQUE SIGNATURE. HE WAS REFUSED THIS REQUEST. MR TRENTON WAS

HARRASSED BY THESE COLLECTION AGENCIES AND THREATENED WITH CIVIL ACTION AND ARREST. WHICH MR TRENTON RECORDED.

D. DEFENDANTS HAVE NOT PROVIDED NOTICE OF THIS DISPUTED MATTER TO THE CREDIT BUREAUS AND IS THEREFORE IN VIOLATION OF 15 U.S.C. § 1681S-2 WHICH REQUIRES THIS NOTICE.

E. DEFENDANTS CREDIT SYSTEMS INC, PLAZA SERVICES LLC AND WEBBANK/FINGERHUT HAVE FAILED TO COMPLY WITH 15 U.S.C. § 1692G IN THAT THEY HAVE NOT WITHIN 5 DAYS OF PLAINTIFF'S INITIAL COMMUNICATION (NOR AT ANY OTHER TIME) SENT MR TRENTON WRITTEN DOCUMENTATION OF THE AMOUNT OF THE DEBT, THE NAME OF THE ORIGINAL CREDITOR, PROOF OF HIS SIGNATURE ON ANY LEGALLY BINDING AGREEMENTS NOR ANY OTHER INFORMATION REQUIRED BY THE FAIR CREDIT REPORTING ACT.

F. DEFENDANTS (EXPERIAN, TRANSUNION AND EQUIFAX) HAVE FAILED TO COMPLETE AN INVESTIGATION OF MR TRENTONS' WRITTEN DISPUTE AND PROVIDE THE RESULTS OF AN INVESTIGATION TO MR TRENTON WITHIN THE 30-DAY PERIOD AS REQUIRED BY 15 U.S.C. § 1681S-2.

G. DEFENDANTS EXPERIAN, TRANSUNION AND EQUIFAX HAVE NOT NOTIFIED MR TRENTONS OF ANY DETERMINATION THAT MR TRENTON'S DISPUTE IS FRIVOLOUS WITHIN THE 5 DAYS REQUIRED BY 15 U.S.C. § 1681S-2, NOR AT ANY OTHER TIME.

H. DEFENDANTS CREDIT SYSTEMS INC AND PLAZA SERVICES LLC, HAVE NOT PROVIDED A SIGNED HIPPA (*HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT*) FORM TO MR TRENTON, NOR HAVE THEY REQUESTED MR TRENTON SIGN A HIPPA FORM TO INVESTIGATE THE FRAUDULENT ACTIVITY.

**FIRST CLAIM FOR RELIEF
AND SUPPORTING FACTUAL ALLEGATIONS**

(Please number your paragraphs and attach any necessary additional pages.)

EXPERIAN, TRANSUNION, EQUIFAX, PLAZA SERVICES LLC, CREDIT SYSTEMS INC, AND WEBBANK/FINGERHUT, DID VIOLATE THE PLAINTIFFS' WELL ESTABLISHED CONSTITUTIONAL RIGHTS AND/OR UNITED STATES STATUTES TO WIT: 15 U.S.C. § 1681 ET SEQ., THE "FAIR CREDIT REPORTING ACT (FCRA) AND 15 U.S.C. §§ 1692-1692P, THE "FAIR DEBT COLLECTION PRACTICES ACT." AND ANY OTHER LAWS GOVERNING THE ILLEGAL REPORTING AND COLLECTING OF MONEY WITHOUT JUST CAUSE OR PROPER PROCESS DUE. PLAINTIFF SETS FORTH THE FOLLOWING PLAIN FACTS TO SUPPORT HIS CONTENTIONS AS SUCH:

(PLAINTIFF DOES INCORPORATE PARAGRAPHS A THRU H, AS IF STATED FULLY IN PARAGRAPH 1 THRU 12)

1. PLAINTIFF HAS FILED SUIT DUE TO HIS CREDIT REPORTS IN THE PAST WITH THE THREE MAJOR BUREAUS (EXPERIAN, TRANSUNION AND EQUIFAX), WHICH ENDED IN A SETTLEMENT AGREEMENT WITH THEM. THESE ERRORS HAVE RETURNED.
2. PLAINTIFF WAS A VICTIM OF THE EQUIFAX BREACH THAT COMPROMISED NUMEROUS INDIVIDUALS. SINCE THEN, PLAINTIFF HAS BEEN SEEING UNKNOWN ATTEMPTS TO GET CREDIT IN HIS NAME. PLAINTIFF HAS INFORMED THE CREDIT BUREAUS (EXPERIAN, TRANSUNION AND EQUIFAX) THAT THIS IS OCCURRING BUT THEY ARE REFUSING TO MAKE REPAIRS. ONE SUCH ERROR WAS AN ERONEOUS REPORTING OF A DICOVER DEBT THAT WAS ON PLAINTIFFS REPORTS FOR OVER 3 YEARS. THIS ERROR COST PLAINTIFF EXCESSIVE MONEY IN INTEREST TO CAR PAYMENTS AND REFUSAL OF HOUSING. PLAINTIFF WAS FINALLY ABLE TO GET IT REMOVED FROM DISCOVER BANK, HOWEVER, IF THE CREDIT REPORTING BUREUA DEFENDANTS HAD FOLLOWED PROPPER PROCEDURE AND LISTNED TO

PLAINTIFFS DISPUTES THEN PLAINTIFF WOULD NOT OF
ENDURED PROLONGED INJURY FROM THIS FALSE REPORTING.

3. PLAINTIFF HAS BEEN THE VICTIM OF IDENTITY THEFT WHICH HE ALSO LET ALL THE DEFENDANTS KNOW. DEFENDANTS CREDIT SYSTEMS INC, PLAZA SERVICES LLC AND WEBBANK/FINGERHUT ARE REPORTING FALSE ACCOUNTS CLAIMING THAT THEY BELONG TO PLAINTIFF. PLAINTIFF HAS ASKED THESE DEFENDANTS TO PROVIDE HIM WITH A COPY OF THE SIGNATURE PAGE BUT HE IS ONLY LAUGHED AT AND TREATED RUDELY. THESE DEFENDANTS CALL HIM AT WORK, AFTER HOURS AND THREATEN HIM WITH ARREST.
4. PLAINTIFF HAS REPORTED THESE GROSS ERRORS TO DEFENDANTS EXPERIAN. TRANSUNION, AND EQUIFAX. ONLY EQUIFAX HAS LISTENED AND DELETED ONE OF THE FALSE ACCOUNTS HOWEVER THEY ARE STILL REPORTING FALSE ACCOUNTS. THESE DEFENDANTS ARE REFUSING TO REMOVE THIS INFORMATION WHICH IS CAUSING PLAINTIFF TO BE DENIED HOUSING NOR CAN HE PURCHASE A HOME. PLAINTIFF IS NOT EVEN ABLE TO BUY A CAR NOW, WITHOUT PAYING 24% INTEREST COSTING PLAINTIFF TWICE WHAT THE CAR IS WORTH.
5. PLAINTIFF DID WRITE LETTERS TO ALL DEFENDANTS AND WAITED FOR THE REQUIRED TIME FOR INVESTIGATION OF THE LETTERS BUT NEVER RECEIVED ANY RESPONSES. PLAINTIFF WAS IRREPURABLY INJURED AND DEPRIVED OF HIS INCOME TAX DUE TO THESE ACTS BY THE DEFENDANTS'. PLAINTIFF HAS BEEN DENIED CREDIT AND MOST IMPORTANTLY A HOME. WHEN PLAINTIFF TOLD THE COLLECTION AGENCY DEFENDANTS THIS, HE WAS TOLD TO QUIT BEING A BUM AND PAY HIS DEBTS.

6. DEFENDANTS EXPERIAN, TRANSUNION, EQUIFAX, CREDIT SYSTEMS INC AND PLAZA SERVICES LLC ARE TO THE DATE OF FILING THIS ACTION, REPORTING FALSE INFORMATION AS WELL AS INQUIRIES ON PLAINTIFFS ACCOUNT. PLAINTIFF SHOULD HAVE ONLY ONE DEROGATORY ACCOUNT FOR A CAR THAT HAD A BAD ENGINE THAT DETONATED. PLAINTIFF IS DEALING WITH THE FINANCIAL COMPANY TO SETTLE THIS DEBT.
7. SHOULD THE DEFENDANTS CORRECT THESE ERRORS BEFORE THE COURT REQUIRES AN ANSWER PLAINTIFF IS WILLING TO DISMISS THIS ACTION WITH PREJUDICE.
8. THE COLLECTION AGENCY DEFENDANTS' PLAZA SERVICES LLC AND CREDIT SDYSTEMS INC, HAVE NOT PROVIDED ANY EVIDENCE TO PLAINTIFF THAT SUPPORTS ANY OF THESE FALSE ACCOUNTS BEING HIS. PLAINTIFF HAS RECORDED THESE COLLECTION AGENCIES WHEN CALLED AND HOW THEY DEAL WITH HIM, INCLUDING HIS ASKING FOR A COPY OF THE SIGNATURE PAGE OF THE ALLEGED DEBT AS PLAINTIFF HAS A VERY UNIQUE SIGNATURE. THESE DEFENDANTS HAVE NOT ANSWERED ANY OF PLAINTIFFS' DISPUTE LETTERS, AND THE MAJOR CREDIT BUREAUS EXPERIAN. EQUIFAX AND TRANSUNION ARE FALSELY REPORTING THAT THE ACCOUNTS MEET FCRA REQUIREMENTS, EVEN THOUGH THERE HAS BEEN NO EVIDENCE TO SUPPORT THAT THE ACCOUNTS BELONG TO PLAINTIFF.
9. PLAINTIFF HAS BEEN THREATENED WITH ARREST AND TOLD THESE FALSE ACCOUNTS WILL BE TURNED OVER TO THE D.A. FOR PROSECUTION, THOUGH THESE DEFENDANTS (CREDIT SYSTEMS INC, PLAZA SERVICES LLC) DON'T HAVE PERMISSION TO OPERATE IN NEW MEXICO.

10. DEFENDANTS CREDIT SYSTEMS INC, PLAZA SERVICES LLC AND PLAINTIFF, ALL LIVE IN DIFFERENT STATES, PLAINTIFF HAS NEVER CONDUCTED BUSINESS IN THESE STATES DEFENDANTS LIVE IN.

11. PLAZA SERVICES INC, DID NOT CONTACT PLAINTIFF TO REQUEST A SIGNED HIPPA FORM OR TO GIVE THE REQUIRED 180 DAYS NOTICE BEFORE PLACING A MEDICAL ACCOUNT ONTO PLAINTIFFS CREDIT REPORT.

12. ALL OF THESE DEFENDANTS HAS AFFECTED PLAINTIFFS' ABILITY TO OBTAIN GAINFUL EMPLOYMENT, HOUSING, BANK ACCOUNT ETC.

REQUEST FOR RELIEF

PLAINTIFF REQUESTS THE FOLLOWING RELIEF:

WHEREFORE, PLAINTIFF SEEKS A REASONABLE AND FAIR JUDGEMENT AGAINST DEFENDANTS FOR WILLFUL NONCOMPLIANCE OF THE FAIR CREDIT REPORTING ACT AND SEEKS HIS STATUTORY REMEDIES AS DEFINED BY **BUT NOT LIMITED TO** 15 U.S.C. SECTION 1681N AND DEMANDS:

1. \$750,000.00 FROM EACH DEFENDANT FOR ACTUAL DAMAGES AND \$1,000.00 IN STATUTORY DAMAGES PER DEFENDANT.
2. AT LEAST \$25,000.00 IN PUNITIVE DAMAGES, BUT NO MORE THAN \$2,500,000.00;
3. PERMANENT INJUNCTION AGAINST THE DEFENDANTS FROM REPORTING DEROGATORY INFORMATION ABOUT PLAINTIFF TO CONSUMER REPORTING AGENCIES (CREDIT BUREAUS);
4. PERMANENT INJUNCTION AGAINST DEFENDANTS FOR SELLING THIS ALLEGED DEBT TO ANY OTHER PARTY;

5. ANY FURTHER RELIEF WHICH THE COURT MAY DEEM APPROPRIATE.

DECLARATION UNDER PENALTY OF PERJURY

THE UNDERSIGNED DECLARES UNDER PENALTY OF PERJURY THAT HE IS THE PLAINTIFF IN THE ABOVE ACTION, THAT HE HAS READ THE ABOVE COMPLAINT, AND THAT THE INFORMATION CONTAINED THEREIN IS TRUE AND CORRECT. 28 U.S.C. §1746; 18 U.S.C §1621.

Date: 01-17-2022



(Plaintiff's Original Signature)

437 ALTEZ ST NE

(Street Address)

ALBUQUERQUE, NEW MEXICO 87123

(City, State, ZIP)

(505) 977-4824

(Telephone Number)

JS 44 (Rev. 04/21)

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFSJoseph A. Trenton(b) County of Residence of First Listed Plaintiff BERNALILLO
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

DEFENDANTSEXPERIAN, ET ALCounty of Residence of First Listed Defendant
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff
- ☐ 2 U.S. Government Defendant
- ☐ 3 Federal Question (U.S. Government Not a Party)
- ☒ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- Citizen of This State ☒ 1 PTF ☐ 1 DEF Incorporated or Principal Place of Business In This State ☐ 4 PTF ☐ 4 DEF
- Citizen of Another State ☐ 2 PTF ☒ 2 DEF Incorporated and Principal Place of Business In Another State ☐ 5 PTF ☐ 5 DEF
- Citizen or Subject of a Foreign Country ☐ 3 PTF ☐ 3 DEF Foreign Nation ☐ 6 PTF ☐ 6 DEF

IV. NATURE OF SUIT (Place an "X" in One Box Only)Click here for: [Nature of Suit Code Descriptions.](#)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES	
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise,	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	PERSONAL INJURY <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 INTELLECTUAL PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 835 Patent - Abbreviated New Drug Application <input type="checkbox"/> 840 Trademark <input type="checkbox"/> 880 Defend Trade Secrets Act of 2016 SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input checked="" type="checkbox"/> 480 Consumer Credit (15 USC 1681 or 1692) <input type="checkbox"/> 485 Telephone Consumer Protection Act <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education	PRISONER PETITIONS Habeas Corpus: <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty Other: <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement			

V. ORIGIN (Place an "X" in One Box Only)

- ☒ 1 Original Proceeding
- ☐ 2 Removed from State Court
- ☐ 3 Remanded from Appellate Court
- ☐ 4 Reinstated or Reopened
- ☐ 5 Transferred from Another District (specify)
- ☐ 6 Multidistrict Litigation - Transfer
- ☐ 8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):

15 USC 1681, 1692, 1692f

Brief description of cause:

CREDIT REPORTING FALSE INFORMATION**VII. REQUESTED IN COMPLAINT:**☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.

DEMAND \$

CHECK YES only if demanded in complaint:

JURY DEMAND: ☒ Yes ☐ No**VIII. RELATED CASE(S) IF ANY**

(See instructions):

JUDGE

DOCKET NUMBER

DATE

SIGNATURE OF ATTORNEY OF RECORD

FOR OFFICE USE ONLY

RECEIPT #

AMOUNT

APPLYING IFP

JUDGE

MAG. JUDGE

INSTRUCTIONS FOR ATTORNEYS COMPLETING CIVIL COVER SHEET FORM JS 44**Authority For Civil Cover Sheet**

The JS 44 civil cover sheet and the information contained herein neither replaces nor supplements the filings and service of pleading or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. Consequently, a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. The attorney filing a case should complete the form as follows:

- I.(a) Plaintiffs-Defendants.** Enter names (last, first, middle initial) of plaintiff and defendant. If the plaintiff or defendant is a government agency, use only the full name or standard abbreviations. If the plaintiff or defendant is an official within a government agency, identify first the agency and then the official, giving both name and title.
 - (b) County of Residence.** For each civil case filed, except U.S. plaintiff cases, enter the name of the county where the first listed plaintiff resides at the time of filing. In U.S. plaintiff cases, enter the name of the county in which the first listed defendant resides at the time of filing. (NOTE: In land condemnation cases, the county of residence of the "defendant" is the location of the tract of land involved.)
 - (c) Attorneys.** Enter the firm name, address, telephone number, and attorney of record. If there are several attorneys, list them on an attachment, noting in this section "(see attachment)".
- II. Jurisdiction.** The basis of jurisdiction is set forth under Rule 8(a), F.R.Cv.P., which requires that jurisdictions be shown in pleadings. Place an "X" in one of the boxes. If there is more than one basis of jurisdiction, precedence is given in the order shown below.
- United States plaintiff. (1) Jurisdiction based on 28 U.S.C. 1345 and 1348. Suits by agencies and officers of the United States are included here.
- United States defendant. (2) When the plaintiff is suing the United States, its officers or agencies, place an "X" in this box.
- Federal question. (3) This refers to suits under 28 U.S.C. 1331, where jurisdiction arises under the Constitution of the United States, an amendment to the Constitution, an act of Congress or a treaty of the United States. In cases where the U.S. is a party, the U.S. plaintiff or defendant code takes precedence, and box 1 or 2 should be marked.
- Diversity of citizenship. (4) This refers to suits under 28 U.S.C. 1332, where parties are citizens of different states. When Box 4 is checked, the citizenship of the different parties must be checked. (See Section III below; **NOTE: federal question actions take precedence over diversity cases.**)
- III. Residence (citizenship) of Principal Parties.** This section of the JS 44 is to be completed if diversity of citizenship was indicated above. Mark this section for each principal party.
- IV. Nature of Suit.** Place an "X" in the appropriate box. If there are multiple nature of suit codes associated with the case, pick the nature of suit code that is most applicable. Click here for: [Nature of Suit Code Descriptions](#).
- V. Origin.** Place an "X" in one of the seven boxes.
- Original Proceedings. (1) Cases which originate in the United States district courts.
- Removed from State Court. (2) Proceedings initiated in state courts may be removed to the district courts under Title 28 U.S.C., Section 1441.
- Remanded from Appellate Court. (3) Check this box for cases remanded to the district court for further action. Use the date of remand as the filing date.
- Reinstated or Reopened. (4) Check this box for cases reinstated or reopened in the district court. Use the reopening date as the filing date.
- Transferred from Another District. (5) For cases transferred under Title 28 U.S.C. Section 1404(a). Do not use this for within district transfers or multidistrict litigation transfers.
- Multidistrict Litigation – Transfer. (6) Check this box when a multidistrict case is transferred into the district under authority of Title 28 U.S.C. Section 1407.
- Multidistrict Litigation – Direct File. (8) Check this box when a multidistrict case is filed in the same district as the Master MDL docket.
- PLEASE NOTE THAT THERE IS NOT AN ORIGIN CODE 7.** Origin Code 7 was used for historical records and is no longer relevant due to changes in statute.
- VI. Cause of Action.** Report the civil statute directly related to the cause of action and give a brief description of the cause. **Do not cite jurisdictional statutes unless diversity.** Example: U.S. Civil Statute: 47 USC 553 Brief Description: Unauthorized reception of cable service.
- VII. Requested in Complaint.** Class Action. Place an "X" in this box if you are filing a class action under Rule 23, F.R.Cv.P.
- Demand. In this space enter the actual dollar amount being demanded or indicate other demand, such as a preliminary injunction.
- Jury Demand. Check the appropriate box to indicate whether or not a jury is being demanded.
- VIII. Related Cases.** This section of the JS 44 is used to reference related pending cases, if any. If there are related pending cases, insert the docket numbers and the corresponding judge names for such cases.

Date and Attorney Signature. Date and sign the civil cover sheet.

Joseph A. Treuton
437 Altez St NE
Albuquerque, NM 87123

RECEIVED
UNITED STATES DISTRICT COURT
ALBUQUERQUE, NEW MEXICO
JAN 20 2022
MITCHELL R. ELFERS
CLERK

U.S. District Court
- District of New Mexico -
333 Lomas Blvd NW STE 2
Albuquerque, NM 87102

